

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Brayton Way TPM, Tentative Parcel Map 20918RPL¹, Log No. 05-14-006

July 20, 2006

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

Staff completed a finding of conformance with the MSCP Subarea Plan dated July 13, 2006. This finding explains how the project will not conflict with the goals of the MSCP.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Otay Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Floodways and Floodplain Fringe: The project is not within the floodways, flood plain fringe as defined in the Resource Protection Ordinance.

Steep Slopes: The average slope for the property is 5 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined on a site visit conducted by Jarrett Ramaiya on March 9, 2005. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites: Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Gail Wright, it has been determined that the project site does not contain any archaeological resources.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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Discussion:

DPW has reviewed the Stormwater Management Plan, received July 13, 2005, by DPLU and has accepted same.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

Staff reviewed the preliminary grading plans and the revised Acoustical Site Assessment by Investigative Science and Engineering, Inc. submitted January 19, 2006 for the Crummy Tentative Parcel Map 20918. Although there was a discrepancy in the SANDAG ADT values used in the Sound 32 model, staff considers the Report complete at this time since a large portion of Parcel 3 has been shown to fall within the 60-decibel CNEL contour. Staff notes that the consultant has used the enhanced data set for this noise model and not the basic data typically used from the SANDAG forecast. The additional 7,000 ADT along Jamacha Boulevard increases the on-site potential CNEL impact up to 60 decibels when it is added to the future buildout model of this roadway alone. The other staff concern is the future construction of SR-54 in an alignment that will be adjacent to the east side of the project site. No data is available to model the realignment of SR-54 and so future capital improvement projects for this roadway would have to address this issue.

With the current model assumptions, the overlap from the existing roadways in a Sound 32 analysis (please see Figure 6) identifies Parcel 3 as a potential receiver of higher noise levels. Using the existing noise model with a speed of 50 miles per hour staff estimated separate 57-decibel CNEL contours of 622 feet (Chase Avenue) and 907 feet (Jamacha Boulevard). The estimate is conservative with the reduced vehicle speed and

does not consider future residences that will screen off more of the project site to the south. The area of overlap (60 dBA) lies in the southeast corner of the project site extending 100 feet from the eastern property line and 80 feet from the southern property line. Based on this conservative scenario, staff recommends that the entire area of Parcel 3 be placed in a Noise Protection Easement.

On the Final Parcel Map the applicant shall:

Grant to the County of San Diego a Noise Protection Easement over the entire area of Parcel 3 of Tentative Parcel Map 20918. This easement is for the mitigation of present and anticipated future excess noise levels from Chase Avenue, Jamacha Boulevard, and SR-54 on residential uses of the affected parcel. The easement shall require:

Prior to the issuance of any grading or building permit for any residential use within the noise protection easement, the applicant shall:

1. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Jamacha Boulevard and Chase Avenue, must utilize a Level of Service "C" traffic flow for a four-lane Major road classification that is the designated General Plan Circulation Element buildout roadway classification.
2. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.